

**Oral Submission re Other HHAs  
(excluding Oxford Street (East) HHA)  
Jean Dorrell and David Whyte  
November 2023**

Note: Text in italics and Appendices are taken as read.

**Abbreviations/Terms Used in This Document**

**September Report:** Statement of Evidence of Mr Knott dated 22 September 2023

**October Area Statements:** Statement of Evidence of Mr Knott dated 27 October 2023

**New HHAs:** Proposed residential HHAs that were not previously deemed Special Character in the District Plan.

**Introduction**

1. On the first day of the May HHA hearings, the Council, their lawyer, and experts all stated that they were 100% confident that they had **everything right**. But since then, they have produced two new documents with many new assertions, while still retaining many of the proven errors from the previous versions.
2. We performed a common-sense review for the third written version (*dated 22 September 2023*) of most of the HHAs, with an emphasis on evaluating the updated rankings. *We have largely ignored the previous SCA/SCZ HHAs and the commercial HHAs as these require expertise we do not have, rather than common sense which we do have.*
3. We then received the 27 October 2023 Area Statements which has some differences from the September Report for some HHAs<sup>1</sup>. Given that the September statement of evidence is supposed to support the October Area statements, we will address both.
4. Our detailed review and recommended rankings are in Appendix A which we wish to be taken as read, along with some other matters in Appendices B and C.
5. The latest versions have factual errors, incorrectly cited references, and outright fabrications. While the worst of these appear to be in the Oxford Street (East) and Frankton East HHAs, we have found that each time we look at an HHA in detail we find more errors. We mentioned several of these in May and will not repeat those here.

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<sup>1</sup> Notably Oxford (East) and Frankton East HHAs. It is possible there are other HHAs with significant differences.

6. One error that I recently identified is in the history of the Cattanach Street HHA. Mr Knott states that Reverend Cattanach was the Chair of the DV Bryant Board. This is incorrect. Reverend Cattanach was the Chair of the much less significant Mary Bryant Trust<sup>2</sup> which had nothing to do with the St Andrews development which Cattanach Street is part of. *I have included documentary evidence to prove this in Appendix A.*
7. Prior to the District Plan being finalised, someone should have fact-checked all of Mr Knott's assertions to ensure that what he is saying is 100% correct. It appears that it is too late now and so if HHAs with inaccuracies (such as Cattanach) are confirmed, the errors will be recorded in the District Plan and become part of a false history of Hamilton.
8. The Background and Building and Streetscape elements in the October Area Statements are largely unchanged from April, so all the criticism in our earlier evidence<sup>3</sup> remains pertinent.
9. We are not going to address the issue of whether "moderate" heritage values should be preserved. What concerns us much more, in addition to the factual errors, is that **the rankings given by Mr Knott appear to be significantly inflated.**
10. In producing his latest HHA document, Mr Knott seems to have confused guesses and facts with heritage values.

### **Guesses**

11. Guesses are not facts. If Mr Knott thinks that some houses could be, or could contain, or appear to be...etc etc, that is a guess or an opinion, not a fact or evidence. The correct heritage ranking for guesses or opinions is "None" or "Unknown".
12. Like its predecessor report in April 2023, the updated HHA documents are still full of qualifiers and guesses, rather than evidence. How can the Council even consider placing restrictions on homes based on guesswork? If there is no evidence, there is no heritage value.
13. Can the Panel please ignore any supposed heritage values which are not supported by documentary evidence<sup>4</sup>?

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<sup>2</sup> The Mary Bryant Trust was incorporated in 1968 and dissolved in 1995.

<sup>3</sup> Dorrell/Whyte rebuttal submission 9 May 2023 and oral submission 31 May 2023

14. Mr Knott has ranked many of his guesses, such as Oxford Street “likely” being Ellis and Burnand prefabricated houses (or “likely” having joinery from Ellis & Burnand), as moderate (or higher). This is significant inflation of heritage value.

## **Facts**

15. Where there **are** facts, it does not mean by default that there is heritage value. This idea that more information means a higher heritage value is particularly prevalent in Mr Knott’s evaluations of the historic qualities.
16. It is good that Mr Knott has provided more information, but **that does not automatically equate to a heritage value** for an HHA.
17. For example, the Cattanach Street HHA has been ranked as “outstanding” for historic qualities. The HHA contains a reasonably detailed, and **mostly** accurate, background of the DV Bryant Trust. However, there is no explanation as to **why** Cattanach Street was chosen out of all the other 19 streets in the DV Bryant Trust development. If a reason was given, that **could** be a value. I asked the DV Bryant Trust for an opinion on the importance of Cattanach Street and Mr Arcus (former Chair of the Trust and grandson of DV Bryant) was somewhat bemused. Among other things, Mr Arcus said<sup>5</sup> that Reverend Cattanach was **never** the Chair of the DV Bryant Trust, as Mr Knott mistakenly states, and so **that** cannot be a reason for its inclusion.
18. Mr Arcus’ view on **more important** streets is documented in Appendix A. If a family member and former Chair of the DV Bryant Trust does not think this is the best example of a street to represent the history of the DV Bryant Trust, then Mr Knott has clearly made an error in ranking this street/HHA “Outstanding” for historic qualities due to the associative value with DV Bryant Trust.
19. Knowledge of **who subdivided an area** is also **a fact**. It does not automatically indicate any significant heritage value. **All** of Hamilton was subdivided by someone. I believe all of it used to be farmland and so presumably owned by farmers. The large early subdivisions such as Claudelands cover such large areas that if the fact of the subdivision is a heritage value in itself, then all houses in Hamilton will have that heritage value. Selecting a tiny HHA like Riro and ranking its historic value as “outstanding” because it was part of a 400-hectare subdivision is bizarre,

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<sup>4</sup> By documentary evidence, I mean written documents to prove the heritage values, not claims by an expert that he spoke to another expert.

<sup>5</sup> And this is supported by Page vii, A Stockman’s Gift, Daniel Vickery Bryant and the Bryant Charitable Trusts, A Legacy for the Waikato, Author: Rosalind McClean, 2007

particularly when there are already large portions of the initial subdivision in other HHAs.

20. Knowledge that **housing is state housing** is also just **a fact**. An HHA containing state houses should not have moderate (or higher) heritage values for architecture or history simply because of this. There has to be some **proven importance of the group of state houses** in the HHA, in comparison to all of the rest of Hamilton or NZ state housing.
21. **If** the Frankton East HHA is correct in recording that Frankton East houses have Ellis and Burnand joinery, there needs to be an explanation as to **why** this is important. Given the Ellis and Burnard Joinery Factory was very large and was operational from a couple of decades before the Frankton East houses were built, the joinery would be commonplace throughout Hamilton at that time. Frankton East has been ranked “high” for architectural heritage value based on this without any explanation being provided as to why Frankton East’s Ellis & Burnand joinery is much more important than all the **earlier** Ellis and Burnand joinery in Hamilton, or all other Ellis and Burnand joinery of **the same time** as Frankton East, or any Ellis and Burnand joinery **from a later period**. There needs to be **(in addition to actual proof of the joinery being present)** an explanation as to why the joinery in the Frankton East HHA houses is unique and important to the historic heritage of Hamilton.
22. Frankton East is the only HHA where the future requirements state that the Ellis and Burnand joinery must be retained. Why is there no requirement to retain this joinery in Hamilton East or Claudelands? Any Ellis & Burnand joinery in Hamilton East is likely to be earlier than that in Frankton East and thus have greater architectural heritage value.
23. **All** rankings from **Low** to Outstanding need to be supported by **evidence** of the facts, and rankings from **Moderate** upwards need to be supported by evidence of **the significance**. Otherwise, they should be ranked as “Unknown” or “None”.

### **Outstanding HHAs**

24. There are twelve HHAs ranked as outstanding. While these do include the areas previously identified as character (SCA/SCZ), it also includes two HHAs where no known historic importance was identified until 2021/22: Cattanach & Riro.
25. I would expect any Outstanding HHA to be suitable to be protected by Heritage NZ and/or to include several individual built heritage houses. Neither Cattanach nor Riro meet this threshold.

## **Typical Architecture**

26. In many of the HHAs, the houses are described as being **typical** of the period, and it is stated the designer/architect is **unknown**. Mr Knott has then given these HHAs an architectural heritage value of “moderate” (or higher).
27. This is a noticeable and direct contrast to Ms Caddigan’s Built Heritage approach where “typical” recognises there is nothing special to preserve.
28. If the architect (or specific plan book) is unknown and all that is “known” is that it appears “typical”, then logically the correct architectural heritage value should be “Unknown” or “None”.
29. Also, if houses are typical, what is the point of protecting them? In some instances, Mr Knott talks about examples. The qualities should be the best, not just an example, or “typical”. “Typical” suggests a character feature rather than any historic heritage value.
30. Features of houses which are pragmatic design features are described as heritage values. For example, a two-storey house will usually have a garage under the house and a balcony, and a single-storey house will usually have a veranda or porch at the main entrance. These are typical features, not heritage values to be protected. At most, these could be described as character values.

## **Evidence and Sources**

31. All the errors that we identified<sup>6</sup> were identified by looking at quality source references. I believe Ms Williams’ Thematic Review<sup>7</sup> is the best report covering all of Hamilton’s history. The report is well-referenced and clear. Even just using the “Find” function in the PDF, it was easy to get information about the Ellis and Burnand Joinery Factory. *I see from an expert submission by Mr Wild<sup>8</sup>, that I am not alone in thinking Ms Williams’ report is an excellent resource.*
32. Mr Knott seems to have done minimal research from primary sources. For instance, if you want to know about what is historically significant in the DV Bryant Trust development, the obvious organisation to contact would be the Trust itself. If you

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<sup>6</sup> These are covered in Appendix A and previous submissions.

<sup>7</sup> Draft: November 2021. While this report was not available when Mr Knott commenced his work in 2021, it was available when he revised the HHA documents in April 2023 and again in September/October 2023.

<sup>8</sup> Para 7.16-7.18, Page 16, Statement of Evidence of Adam Wild & Veronica Cassin on behalf of NZ Police, 22 September 2023

want to know about Ellis and Burnand, contact the Fletcher Archives<sup>9</sup>. This information is readily available and in both these examples, they were very helpful and pleased to provide information to me. **No one wants the history of their organisation to be falsely reported or misrepresented** as is being done in some of the proposed HHAs.

33. The evidence level for all the HHAs needs to be strong enough to withstand scrutiny by Environment Court judges. The approach of “it looks like...” or “appears to be...” would be laughed out of Court. Let alone “it used to have...”. This isn’t just about the Court hearing someone objecting to being in an HHA. If a resident in Cattnach Street went to the Environment Court over a dispute with the Council about an alteration to the front of the property, the Court would start by looking at why Cattnach Street is an HHA and be very confused at what it is that needs to be preserved and why.
34. Simply saying something, is **not** evidence. Mr Knott’s verbal rebuttal to our submissions in May had no value. He changed his mind as to whether we were prefabricated houses or not and gave this bizarre story of being able to read what the houses used to look like and for some reason wanting to protect this past. Evidence needs to be in the form of written documentation and be **as found today**, not some romantic mental image derived from aerial photographs from 80 odd years ago.
35. The duty to research and check accuracy has largely fallen on the submitters (both lay and expert). Hamilton City Council and its experts have not researched or provided evidence. The latest S42A report states that they rely on the evidence of Mr Knott. This is implying that everything Mr Knott says is correct. Like many other submitters we identified errors in the earlier version of the HHAs, but Mr Knott has not updated the HHAs to be accurate. (In fact, the background and building elements in the October Area Statements are virtually unchanged from April, even where the values have changed.)
36. You cannot enforce a legally binding restriction based on false information. The fact that the Council and Mr Knott are trying to do this is astounding and the Panel should reject such proposed HHAs.

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<sup>9</sup> Fletchers bought Ellis and Burnand Limited and hold all of their records.

## The Story of Hamilton as per the HHAs

37. The story of Hamilton as represented by Mr Knott's HHAs is (other than the character areas previously recognised in the District Plan such as Hayes Paddock) unclear, largely unsubstantiated and, frankly, not very important.

38. The story the new HHAs<sup>10</sup> tell is this:

- a. Hamilton has grown in the last 100-plus years.
- b. Hamilton has old houses. For many of these, there is no recorded history.
- c. Hamilton has state houses.
- d. Hamilton has brick houses which were built in the 1960s and 1970s.
- e. Hamilton has areas within suburbs with **similar** sized sections and houses of **similar** age and general features.

39. At the May 2023 HHA hearings, Professor Alexander Gillespie noted that heritage areas must **have authenticity and integrity**, and **heritage values should not be inflated**.

40. *Hamilton is not a place that people dream of living in if they win Lotto.*

41. *Hamilton is a city that most people live in because of work or study. It has Waikato University and other tertiary institutions. It has a wide range of large and small businesses, many relating to the dairy industry, and it has the Waikato Hospital. It is the central service city for the Waikato region.*

42. *It has the Waikato River. It has the Hamilton Gardens. If you are into exercise, it is a great place to run, walk, bike and play sport. It has fantastic libraries. There are decent-sized malls with all the standard shops. It is a **functional** city to live in.*

43. *When people tell newcomers about the benefits of Hamilton, the most common one is that "Hamilton is central". That is, you can easily **leave** Hamilton and visit somewhere **else** which has more to offer than Hamilton on weekends, holidays, or rainy days.*

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<sup>10</sup> Proposed HHAs that were not previously SCA/SCZ

44. Mr Knott commented on the predominance of high fences in Hamilton<sup>11</sup>. They are there largely for security...keep kids and pets in and trouble out. *When I first moved to Hamilton, I was rushed by a dog in Marshall Street. The Hamilton City Council Dog Control officers actually asked me **why** I was walking in Marshall Street and recommended that I did not do so again if I wanted to be safe.*
45. Hamilton has a lot of undesirable areas. One of the oddities of the HHAs is the predominance of HHAs in or near Fairfield. Fairfield is not known for anything good. Other than the Fairfield Bridge, the history of the suburb has never been deemed particularly important until Mr Knott came along<sup>12</sup>. It is largely known as a state housing suburb. People who **want** to buy houses in Fairfield mostly do so because it is one of the cheapest places with large sections near to the CBD. People are willing to put up with the not-so-great area so they can have a home with a backyard for their kids to play in or to keep pets.
46. I realise that historic heritage is not about “nice” or “attractive” areas, but Mr Knott has picked some of the **worst** areas to preserve with **no evidence of their significance**.
47. There appear to be HHAs where the HHA was initially selected based on Mr Knott’s street assessments and **then** he looked for any actual heritage value later on. For example, the June 2022 report for the Cattnach HHA has no mention whatsoever of the DV Bryant Trust or Reverend Cattnach. The supposed values in the June 2022 report relate to them being 1970s brick houses without front fences. The Council should not select the heritage to be preserved based on who has high fences or not.
48. Many of the HHAs appear to have been random selections based on the values of previous (proven) character areas.
- a. Hayes Paddock is a great example of early state housing. So, it appears Mr Knott has identified other areas of state housing where the initial selection criteria is largely based on low fences and street planting or consistent berm width, rather than documented history showing the historical significance of **those** groups of state houses.
  - b. Hamilton East and Claudelands are great examples of bungalows and villas and early Hamilton housing. So, it seems almost every

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<sup>11</sup> Mr Knott’s oral comments in the May 2023 hearings.

<sup>12</sup> Appendix G, Dorrell/Whyte submission 19 August 2022

other street of old houses in minor streets that has bungalows and villas and does not have high fences is proposed as HHAs.

- c. Frankton Railway village is a great example of factory prefabricated houses in a well-preserved Railway settlement. So, Mr Knott looked around for more Railway houses and bizarrely “found” twelve in the middle of Fairfield<sup>13</sup>.

49. I believe that Mr Knott’s HHA recommendations<sup>14</sup> make a mockery of Hamilton’s actual historic heritage. As well as lacking evidence, some of them are, quite frankly, ridiculous. They also dilute the importance and significance of the valid historic heritage areas of the city. If the new HHAs are finalised, it will be a case of Hamilton preserving false history.

- a. Will the Council be putting up signs in Sare Crescent to explain the history...which is largely unknown and unimportant apart from it possibly being one small part of the Fairfield Project of state housing?
- b. Will there be a sign in all the typical 1960s and 1970s brick house HHAs explaining why they are very important as heritage items, even though we don’t know the architect or plan book and consider the houses to be typical examples?
- c. Will there be a sign in Cattnach Street explaining why it is the most important street in the DV Bryant Trust development? Will it incorrectly state that Reverend Cattnach was the Chair of the DV Bryant Trust?
- d. And I can’t even hazard a guess as to what a sign in Oxford Street (East) would say...apart from this is the most fabricated, false, unresearched, completely devoid of documented evidence and, also, the most **opposed** HHA in the history of Hamilton.

50. Whakawhetai koe mo te whakarongo<sup>15</sup> [David to continue]

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<sup>13</sup> In the Oxford Street (East) and Marshall Street Railway Cottage HHA

<sup>14</sup> For the New HHAs

<sup>15</sup> Thank you for listening.

## Process

51. The Hamilton East HHA is the only HHA which covers all development periods. Other than the former character areas with special housing typologies (Frankton Railway and Hayes Paddock) and unique history (Templeview) there does not seem to be any justification any other HHAs. The Council should be aiming for the **least restrictive outcome**. The Special Character regime appeared to be working fine according to many submissions from people within those areas.
52. In terms of quality control, there does not appear to have been a peer review since Mr Knott updated his methodology and rewrote the HHAs. The Section 42A places reliance on Mr Knott's latest evidence with no reference to a peer review. The September Report and October Area statements should have been peer reviewed.

## Communication and Discrimination

53. Opposing (or wishing to be added to) an HHA requires either the money to pay an expert, or the time, skill **and** knowledge to fight. This means that anyone without those is discriminated against.
- a. Not everyone who is in an HHA is aware of it. There is a homeowner in the Hamilton East HHA who did not receive a letter and as such believes her home is excluded from the proposed HHA<sup>16</sup>.
  - b. Not everyone who has been removed from an HHA is aware of it. Some (or possibly all) property owners in the Oxford (West) and Marama HHAs did not receive notification that their HHAs are recommended for deletion from PC9. It is possible that some homeowners in those HHAs wish to be in the HHA and would object to its outright removal and wish to present alternative options.
  - c. There are people who made submissions in May who are not aware there is an updated version of the District Plan and the September Report and another opportunity to make submissions.
  - d. The website has an incredible number of documents and is frequently reorganised with documents being moved from one tab to another and new tabs created<sup>17</sup>. Most documents are undated.

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<sup>16</sup> Despite her neighbours advising her otherwise.

<sup>17</sup> While this is n

Excluding the documents relating to oral submissions, there are currently 22 different tabs and around 250 documents on the PC9 website.

- e. While I agree that it is important that all information is sent out to submitters, the volume of emails is also hard to comprehend as everyone who is receiving email, receives every PC9 email (whether they are interested in SNAs or HHAs).

54. In the early stages of PC9, the Council held information sessions. People who attended these gave feedback in May 2023 that the Council staff there could not answer their questions.

55. More recently, homeowners in proposed HHAs who have contacted Council for information as to what they can do without a consent have been given answers which are inconsistent with the publicly notified District Plan. Two examples are being told they need a consent and Heritage Impact Assessment (HIA) to repair a back fence and also to plant or remove trees in front of an HHA house.

56. The volume of unconsented works (whether intentional or not) over the last sixteen months is undoubtedly high, especially given maintenance requires homeowners to get consents and HIA in the notified version<sup>18</sup>.

### **Responsibility Under Local Government Act**

57. The purpose of the Local Government Act (LGA) includes enabling democratic decision making for or on behalf of the community.

58. It does not state that they may override the democratic wishes of that community. In this regard it would seem to me that if a proposed HHA is not supported by anyone within that community (defined as those who own property within the proposed HHA) then the council should not proceed against the democratic decision by that community. **This also applies to the IHP who should also listen to the community's democratic wishes.**

59. The LGA also states that when performing its role, a local authority needs to follow other laws. This includes the NZ Bill of Rights (NZBoRA).

60. NZBoRA states that people or groups of people should not be discriminated against or treated differently.

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<sup>18</sup> While the latest Section 42A report recommends maintenance be excluded from this requirement, the notified District Plan remains in place until the process is finalised (or an interim decision made).

61. The imposition of HHA status by the HCC is counter to the NZBoRA and is effective discrimination on a group of individuals since the rules and regulations on what can or can not be done on your own private property are different to every other fellow citizen within the society. By discriminating against certain groups of people in this fashion, HCC is acting illegally and imposing limits outside the law that cannot be demonstrably justified in a free and democratic society.

62. *In the Local Government Act (LGA) at section 10 it defines the purpose of local government as being:*

*The purpose of local government is—*

*(a) to enable democratic local decision-making and action by, and on behalf of, communities; and*

*(b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.*

63. *Under section 12 (2) the LGA states “For the purposes of performing its role, a local authority has—*

*(a) full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction; and*

*(b) for the purposes of paragraph (a), full rights, powers, and privileges.*

*While under section 12 (3) it states “Subsection (2) is subject to this Act, any other enactment, and the general law.*

64. *Hence the LGA states that the Council when making any rules, regulations or bylaws has to ensure that “no bylaw may be made which is inconsistent with, or gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBoRA).”*

65. *In the NZBoRA at section 19 it states that that it is illegal to discriminate against a certain group of people and that “Everyone has the right to freedom from discrimination on the grounds of discrimination in the Human Rights Act 1993.”*

66. *At s65 of the Human Rights Act, Indirect discrimination, it states “Where any conduct, practice, requirement, or condition that is not apparently in contravention of any provision of this Part has the effect of treating a **person or group of persons differently** on 1 of the prohibited grounds of discrimination in a situation where such*

*treatment would be unlawful under any provision of this Part other than this section, that conduct, practice, condition, or requirement shall be unlawful under that provision unless the person whose conduct or practice is in issue, or who imposes the condition or requirement, establishes good reason for it.”*

67. NZBoRA at s5 states “Subject to section 4, the rights and freedoms contained in this Bill of Rights may be subject **only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.**”

68. The NZBoRA states at s6 “wherever an enactment can be given a meaning that is consistent with the rights and freedoms contained in this Bill of Rights, that meaning shall be preferred to any other meaning.”

### **Requirements for Future Development and Discrimination**

69. The HHAs put onerous restrictions on homeowners. Apart from those in former character areas, these were unknown at the time property was purchased and now create a post-purchase covenant.

70. Apart from the Frankton Railway Village, most of the houses in the HHAs are located some distance back from the front boundary creating a sizable front yard. For many houses, the houses are on or near the middle of the section. This means the HHA restrictions on the front of the property are impacting on **around half of the property** for those homeowners.

71. Sunnyhills and Chamberlain HHAs are “discouraged” from having planting in the front yard. This requirement (or suggestion) is completely unreasonable and totally unacceptable. Trees and plants bring birds and beneficial insects and should be encouraged. They provide shade and privacy. They also help with mental health and assist in purifying the air and reduce flooding<sup>19</sup>.

72. Pet owners are also discriminated against. Dogs require high fences. My 12kg whippet can very easily clear a 1.5 metre fence if there is a cat on the other side. In front section of a subdivided HHA property<sup>20</sup>, the fencing restrictions mean that in practice you cannot have a medium or large dog at all. In a larger section it restricts how your dog lives<sup>21</sup>.

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<sup>19</sup> <https://www.earthday.org/5-reasons-we-need-trees-for-a-healthy-planet/>

<sup>20</sup> For example, 35 Oxford Street

<sup>21</sup> For example, a large dog in Oxford Street is limited to the backyard if there is no high fence in front of the property.

73. HHA residents are not allowed the same security as others. For example, in a street with frequent opportunistic crime, such as Marshall Street, the non-HHA houses will be more secure with high fences, while the HHA houses are more vulnerable.
74. The low or no fence requirements (and in the case of the Sunnyhills and Chamberlain HHAs, the lack of planting) reduce the privacy of HHA homeowners, which in turn reduces the potential uses of the front of the property<sup>22</sup>.
75. The NZ lifestyle is traditionally back-yard based. Ironically, one of the often-heard criticisms of intensification is that it takes away the kiwi-dream lifestyle of kids playing backyard sport while Mum and Dad have a BBQ. **But** if the backyard is the only place HHA homeowners can extend their house (ie not upwards or in front) or put a garage, they will need to reduce the size of the backyard. And obviously kids cannot be playing in unfenced **front** yards, unless supervised.
76. The requirement “not to have large areas of parking” in front of houses, accompanied by many HHAs only being permitted a single garage is nonsensical. Most households have at least two vehicles. Where does Mr Knott think they will park them? While the restrictions will prevent permanent parking areas, the Council cannot prevent people parking their cars on their front lawn.
77. *The Council provides two large wheely bins, a food bin and a glass bin. Many homes also have a garden waste bin or bag. For practical reasons, these are generally kept in front of the house. Forbidding any accessory buildings in front of the house means that we cannot build a structure to hide these and keep the street frontage attractive.*
78. *Some of the development restrictions will result in houses and features in HHAs **not** being maintained. For example, there are properties with old, unattractive 1.5 metre fences in Hamilton East HHA. There is no incentive for the owner to replace the entire fence with a new attractive one as it will need to be lower.*

#### Financial Burden

79. The imposition of an HHA results in a financial burden that non-HHA homeowners are not subject to. This is a form of discrimination.
- a. The imposition of an HHA has an impact on property values as the property cannot be fully developed. In the valid stronger HHAs, the impact on property value may be neutral, but in the less affluent or newer HHAs, this is a significant decline.

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<sup>22</sup> For example, sunbathing in togs, or having a cup of tea in your dressing gown, on the front deck.

- b. HHA homeowners will need to pay for an HIA to make alterations where their non-HHA neighbours will not incur this cost for the same activity.
- c. Requiring original materials (eg timber window frames or walls vs aluminium joinery or hardy planks) imposes a financial burden both for the materials and the ongoing maintenance.
- d. House insurance may be higher for a historic heritage house as the requirements for repairs will involve greater cost for these reasons.

### **Practical Aspects of Future Requirements**

80. For most HHAs, there is a statement about respecting the **existing** features:

*Where an existing dwelling displays the features below, any alterations and extensions should respect the features. Where an existing principal building does not exhibit the features, any alterations and extensions should respect the design of the principal building and site as existing.*

81. To be able to impose this requirement, the Council needs to know precisely (by holding either a pictorial record and/or a detailed, factually accurate description of each site as it is on that date) what each building looked like<sup>23</sup> on the day the requirement is implemented. I do not know if the Council have done this or are planning to. If the Council does not hold this information, how are the consent issuers to know what the existing principal building or design that is meant to be respected is?

82. Whether this “existing state” is as at the date of the public notification or the date of the implementation of the District Plan is unclear.

83. As what was notified in 2022 has changed significantly, the Council will need to get legal advice as to whether the “existing” state is 22 July 2022 or the as yet unknown date the changes become part of the Operative District Plan **or, for Oxford Street (East), whether the 1940s aerial photograph represents the “historic status that must be designed to” since this is one of Mr Knott’s claims to the historic value of this HHA.**

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<sup>23</sup> This is similar to the requirement for the Built Heritage inventories.

## **Appendix A: Analysis by HHA<sup>24</sup> (Taken as Read)**

### **1960s & 1970s HHAs (excluding Cattnach)**

1. Acacia, Augusta, Jennifer, and Lamont HHAs all have the description “The buildings are of interest in so much as they are typical of plan book houses, rather than being designed by a particular known practitioner.”
2. Ashbury, Hooker, Seifert, Springfield and Sunnyhills HHAs all have the description “The buildings are of interest in so much as they are typical of the period, rather than being designed by a particular known practitioner.”<sup>25</sup>
3. In all of these cases, this is actually not a point of interest, it is a statement that the history of the design is **an unknown factor**. If the background of the design of the houses is **unknown, the HHA cannot have moderate** heritage value for architectural significance.
4. The list of features for each HHA does not explain why **these** 1960s/1970s brick houses have been selected over other houses of the same era with the same features (eg brick houses on Hukanui Road). The described features cover a broad range of possibilities which can be summarised as mostly brick houses, all with some sort of roof. The features are supposed to be “distinctive or special”. They mostly appear to be ho-hum features of houses which, **if** anything of note, would be character houses.
5. The history of these houses is that they were built because Hamilton was growing.
6. Recommended ranking (all): Architectural: Unknown, History: None

### **Casey Avenue HHA and Wilson Street and Pinfold Avenue HHA**

7. These are two HHAs where there is a mixture of housing typologies and ages.
8. The architecture for Casey is described as typical but is then ranked as moderate. This should be low or none.
9. In Pinfold Avenue, there is a small group of state duplexes which Mr Knott describes as important. These are included in proposed built heritage as Category B. The remainder of the architecture for the Wilson HHA is described as typical. Given the three duplexes are only a tiny portion<sup>26</sup> of the HHA (and are already

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<sup>24</sup> Primarily from September Report.

<sup>25</sup> Or very similar wording

<sup>26</sup> Around 4%

proposed to be protected as Built Heritage) and the rest of the houses are deemed typical, it appears that Mr Knott has based the high architectural value of the total area on three duplexes and his ranking is inflated as a result.

10. This contrasts with Churchill and Denz Streets where there are unique state houses<sup>27</sup>, amid ordinary state houses, but the streets are not deemed worthy of being an HHA by Mr Knott.
11. The historic quality is ranked as moderate for both HHAs. This appears to be based on the fact that the history of the subdivision is known, with no actual important historic values given.
12. Recommended ranking (both): Architectural: Low, History: None

### **Cattanach HHA<sup>28</sup>**

13. Cattanach is ranked “Outstanding” for associative values because the background of the DV Bryant Trust is known.
14. The DV Bryant Trust (the Trust) is one of the longest serving family trusts in the Waikato, having been set up in 1924. It exists to “enhance human welfare in the Waikato”. The founder DV Bryant endowed the Trust mainly with farmland which included his own home farm which extended from Te Rapa Road east to Waikato River with Bryant Road as its southern boundary (the Home Farm).
15. In the 1960s the Trust sequentially subdivided sections of the Home Farm to realise its assets. From the proceeds, the Trust made two significant endowments: the establishment of both Bryant Hall at Waikato University and Bryant Village for the Elderly on Delmare Road (part of the Home Farm). Cattanach Street is but one of some 19 streets carrying Bryant related names in the ultimate subdivision of the Home Farm. Cattanach Street is but one very small street within that development.
16. Duncan Cattanach (after whom the street was named) was for many years the Minister at St Andrews Presbyterian Church. This was the parish where the Founder Dan Bryant worshipped, as did a number of other Trustees of the Trust. Cattanach was therefore known to many on the Trust. Cattanach was a Trustee of the Trust from 1960 to 1976. He was also a Trustee on the Mary Bryant Trust (a sister trust) from 1948 to 1974. While Cattanach served both trusts very well, so

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<sup>27</sup> Morris and Caunter, page 35, Dorrell & Whyte 30 May 2023 Oral submission

<sup>28</sup> Paragraphs 14 to 16 are based on what Mr Arcus, former Chair of The Trust, wrote after I sent him my draft of what is now paragraphs 13 to 23. Refer to [Appendix D](#) for Mr Arcus’ exact wording.

<sup>29</sup> A Stockman's Gift, Daniel Vickery Bryant and the Bryant Charitable Trusts, A legacy for the Waikato, Author: Rosalind McClean, 2007

- All HHAs (except Oxford)

21. I contacted the DV Bryant Trust seeking their views on the HHA. On 29 September 2023, I spoke with Mr Doug Arcus (former Chairman of the Trust, grandson of the original Mr DV Bryant and significant contributor to the well-documented history<sup>30</sup> of the DV Bryant Trust) and asked for his views on the historic importance of Cattanach Street in reference to it being proposed as an HHA. Mr Arcus was somewhat bemused that Cattanach was selected as the sole street from the DV Bryant Trust Streets.
22. Mr Arcus noted that **Reverend Cattanach was not in fact the Chair of the DV Bryant Trust Board** as stated in the HHA document<sup>31</sup>. He was the Chair of the Mary Bryant Trust. Mr Arcus did not indicate that Reverend Cattanach had any special importance to the DV Bryant Trust. Mr Arcus noted that Reverend Cattanach was a long-serving minister at St Andrews Church which Mr DV Bryant attended and “a confidant” of Mr DV Bryant. Mr Arcus thought that in terms of importance, the streets where the original villa were would be the most important. Daniel Place was the back entrance to the original villa. In terms of people, Mr Arcus thought the most important people in the DV Bryant Trust (after Mr DV Bryant himself) were Don Arcus (Doug’s father, who had Arcus Street named after him) and Cecil Bryant (who had Cecil Street named after him.)

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<sup>30</sup> As for footnote above. This is a 350-page book with copies held by Hamilton Library.

<sup>31</sup> Also supported by page vii of Bryant Trust history as per following image. This is yet another factual error in the Mr Knott’s report. The Wikipedia listing for Hamilton Streets also contains this error so that may have been Mr Knott’s source for his “evidence”.

Street Name	Named After	D.V. Bryant Association
Arcus Street and Wilfred Street	Don (Wilfred) Arcus	Son in law of D. V. Bryant Trustee Mary Bryant Trust Trustee DV Bryant Trust Chairman of DV Bryant Trust for 21 years Trustee Bryant Hall Trust Chairman of Bryant Hall Trust for 23 years
Ashley Street	Ashley Taylor	Trustee of Bryant House Trust Trustee Mary Bryant Trust Trustee DV Bryant Trust Trustee Bryant Hall Trust Chairman of DV Bryant Trust for 6 years
Bryant Road	Daniel Vickery Bryant	Founder
Burn Murdoch Street	Jack Burn-Murdoch	Waikato Manager of Wright Stephenson's Trustee Mary Bryant Trust Trustee DV Bryant Trust
Cattanach Street	Duncan Cattanach	Minister St Andrews Church Chairman Mary Bryant Trust for 26 years Trustee DV Bryant Trust
Cecil Street	Cecil Bryant	Son of D. V. Bryant
Dallinger Street	Patricia Dallinger	Manager Mary Bryant Nursery for 17 years
Daniel Place	Daniel Vickery Bryant	Founder
Delamare Road	Freddie de la Mare	Trustee Bryant House Trust
Edwin Street	Allan (Edwin) Bryant	Trustee DV Bryant Trust Trustee Mary Bryant Trust
English Street	Richard English	Original Trustee Bryant House Trust
Grassy Downs Place		D.V. Bryant's Tauwhare Farm
Hugh Place	Dr Hugh Douglas (Snr)	Original Trustee Bryant House Trust
Larnach Street	Cambell (Larnach) MacDiarmid	Original Trustee Bryant House Trust Chairman for 39 years
Madill Road	Robert Madill	Original Trustee Bryant House Trust
Marnane Terrace	Jack Marnane	Manager Bank of New South Wales Trustee Bryant House Trust Trustee DV Bryant Trust Chairman DV Bryant Trust for 8 years
Mears Road	Ian Mears	Solicitor, Partner MacDiarmid Mears & Gray Trustee Bryant House Trust
Vickery Park	Daniel Vickery Bryant	Founder
Vickery Street	Daniel Vickery Bryant	Founder

23. If a family member and former Chair of the DV Bryant Trust does not think this is the best example of a street to represent the history of the Trust, then Mr Knott has clearly made an error in ranking this street/HHA "Outstanding" for historic qualities due to the associative value with DV Bryant Trust.
24. In terms of architecture, the houses are very similar in size and features to all the others in the wider area (essentially the upmarket part of St Andrews) and thus are typical. The list of features in the future development requirements indicated that the houses are built from many different materials and there are no dominant common features (even though there are only 13 houses). In the September report, the buildings are described as typical of 1970s buildings with no mention of architect or plan book. The key design feature of interest appears to be balconies facing the

street. This is another example of a pragmatic design feature being deemed a heritage feature.

25. Recommended ranking: Architectural: Unknown, Heritage: Low

### **Chamberlain HHA**

26. Chamberlain Place is ranked as having moderate cultural values and high architectural and heritage values. This is a P-shaped street of state housing which is **identical** to the housing on Snell Drive which Chamberlain Place comes off.

27. Mr Knott states that “The dwellings are typical of those being developed by the Housing Corporation in the local area” but does not give any explanation to why he has chosen Chamberlain as an HHA while leaving adjacent streets outside the HHA.

28. In the September Report, Mr Knott refers to Casey Ave in the Chamberlain HHA, so it is unclear which HHA he means to refer to.

29. Recommended ranking: Cultural: None, Architectural and Heritage: Low

### **Fairfield Road HHA and Sare Crescent HHA**

30. Both these HHAs are claimed<sup>32</sup> to be part of the Fairfield Project (a Hamilton state housing project commenced in the late 1940s). The HHAs record that the Fairfield Project was for 800-1000 houses and that the first block of 23 Fairfield houses was on its way to completion by June 1947.

31. Mr Knott’s reports indicate the houses on both streets were built around 1953. As such, they were not the **first** block of Fairfield Project houses. It would make more sense to protect the first houses, not two random streets of state or ex-state houses in Fairfield.

32. However, the historic qualities for these two HHAs, have both been ranked as high. If these streets are ranked high, the first street(s) of houses should be protected and ranked as outstanding, rather than being completely ignored.

33. The architectural values are described as moderate for Fairfield and high for Sare. Mr Knott describes the houses for both streets (actually just parts of streets in both cases) as typical state houses, with no explanation to justify the different rankings.

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<sup>32</sup> A comment in KO rebuttal by John Brown (6 Oct 2023) suggests this may not be the case for Sare Crescent.

34. Fairfield and nearby Enderley has a lot of state houses. To identify these two streets as being more important than the rest, without any explanation, is another example of a highly inflated ranking.
35. It is also of note that where Kainga Ora (KO) properties are largely unchanged from the original houses, **it is not because they are important historic houses, and this does not represent a heritage value**. I don't want to second guess KO policy, but KO have limited resources and considerably higher demand for housing in Hamilton than they can supply<sup>33</sup>. From their submissions in May, I understand that it is not cost-effective to modify the older houses to Healthy Homes standard.
36. Recommended rankings (both HHAs): History: Low, Architecture: Low

### **Frankton East HHA**

37. The September Report still incorrectly records this HHA as containing “a large number of Ellis & Burnand **prefabricated** houses”<sup>34</sup>. This is also stated in the Building and Streetscape elements section of the October Area Statement (copied from the April version) but, oddly, not in the October Summary of Values.
38. The Summary of Values in the October Area Statement states (in what appears to be an intentionally vague description<sup>35</sup>):
- “They incorporate features from Ellis and Burnand, who were a significant Waikato based manufacturer of joinery and prefabricated houses. These represent a significant group of these houses.”
39. As stated already, it is not significant (and definitely not deserving of a “high” architectural quality) if houses built in the 1920s or 1930s have Ellis & Burnand joinery as the houses were built around 20-30 years after the Ellis & Burnand joinery factory started operations, when Ellis & Burnand joinery was commonplace within Hamilton rather than a unique new aspect of houses.
40. The state houses in Marire are now described as “attractive”. This is a subjective description applicable to character and not a heritage value.
41. Like Oxford Street, Mr Knott states that there is “documentary evidence” of the association with Ellis & Burnand. I have not confirmed it, but I suspect this

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<sup>33</sup> And thus motels are currently used for emergency housing in Hamilton

<sup>34</sup> Page 114, Thematic Review, Williams states the prefabricated houses were not permitted to be built in Hamilton Borough until the late 1940s. Also our rebuttal submission dated 9 May 2023.

<sup>35</sup> Or possibly just badly written.

‘evidence’ (or lack thereof) is the same as Oxford Street where it is a matter of Mr Knott and his fellow experts (probably Mr Miller since he seems to have started the Ellis and Burnand debacle) talking possible theories without doing basic research.

42. Without any proven history, the Frankton East HHA would be more appropriately treated as a special character area rather than an HHA, or else removed altogether.

### **Riro Street HHA**

43. The Riro Street HHA is ranked as having outstanding historic qualities because it is part of Mr Claude’s 400-hectare subdivision. Similar to Cattanach, this is one small street with the same history as many other nearby streets which has been selected with no clear explanation as to why it is so special and deserving of preservation.
44. The architecture is very typical of any houses of the same age.
45. Recommended ranking: Historic: Low. Architectural: Low

### **Requested Change to Rankings of HHAs**

46. The rankings in the 22 September 2023 HHA report and the latest version of the proposed District Plan are highly inflated. For example, houses in HHAs described by Mr Knott as “typical” are ranked as having “high” and houses where the architectural background is unknown are given “moderate” values.
47. **All** rankings from **Low** to Outstanding need to be supported by **evidence** of the facts, and rankings from **Moderate** upwards need to be supported by evidence of **the significance**. Otherwise, they should be ranked as “unknown” or “none”.
48. Below is a table of recommended revised overall rankings based on our review.

<b>Proposed HHA</b>	<b>Rank per RK Report</b>	<b>Dorrell/Whyte Rank</b>
Acacia Crescent HHA	High	Low or None
Ashbury Avenue HHA	High	Low or None
Augusta, Casper and Roseburg Streets HHA	Moderate	Low or None
Casey Avenue HHA	Moderate	Low or None
Cattanach Street HHA	Outstanding	Low
Chamberlain Place HHA	High	Low
Fairfield Road HHA	High	Low
Frankton East HHA	High	None/SCA
Hooker Avenue HHA	Moderate	Low or None
Jennifer Place HHA	Moderate	Low or None
Lamont, Freemont, Egmont and Claremont HHA	Moderate	Low or None
Oxford Street (East) & Marshall Street HHA	Moderate	None
Riro Street HHA	Outstanding	Low
Sare Crescent HHA	High	Low
Seifert Street HHA	Moderate	Low or None
Springfield Crescent HHA	Moderate	Low or None
Sunnyhills Avenue HHA	Moderate	Low or None
Wilson Street and Pinfold Avenue HHA	High	Low or None

## **Appendix B: Other Matters (Taken as Read)**

### **Archaeological Qualities**

1. Archaeology is not recorded as being within Mr Knott's area of expertise and as such he should not be commenting on this aspect of the HHA scoring and assessment template without reference to an archaeological expert. Mr Knott has stated that he is aware of his role as an expert witness and so he should have been aware of this.
2. Where there is supposedly an archaeological site close by (eg Seifert, Casey and Cattanach), the HHA gets a "moderate" archaeological significance as it supposedly "has the potential to expand knowledge of earlier human habitation". However, no actual evidence is given. This should be ranked nil or unknown.
3. Where there is no archaeological site close by, **none** of the HHAs have been ranked as having "None" or "Unknown" archaeological significance.
4. For example, the Oxford (East) HHA has been ranked as "low" by Mr Knott. The subdivision is around 100 years old (1920-1922). Houses were built between mid-1920s to 1950s on all sections. Most properties have areas of garden and drives etc which have involved excavation. Given that no archaeological items have been located over this time, the assessment for archaeological qualities (information, research, recognition or protection) should be "None" or "Unknown" not "Low".

### **Inconsistency of Ranking and Treatment**

5. There is inconsistent treatment of the ranks of the HHAs Mr Knott suggested, compared to those suggested by submitters.
6. Queens Drive is deemed to be "diluted by the changes which have taken place, including the redevelopment of sites with unsympathetic dwellings, **changes to older buildings, wide driveways** and parking areas, tall fences and walls along the street frontages of many lots." However, in contrast, Oxford Street (East) where it is acknowledged by Mr Knott that the houses have had significant change from their original form and **the important features are actually no longer there and can only be seen on a 1940s aerial photo**, is deemed to have moderate heritage values.
7. Fairview Downs is ranked as low for architectural value, despite it being one of the few HHAs where the source of the houses (Peerless Homes) is known. This contrasts significantly with the ranking of Oxford (East) where the housing type is unknown and unproven but ranked as "moderate".

8. Harrowfield is not considered as it is not within the development period. In contrast Cattnach (ranked moderate for architecture) contains some 1980s houses. Given there are only 13 houses in the Cattnach HHA, even two 1980s houses are a significant proportion (15%).
9. These are all examples of inconsistent treatment of ranking. Note that we are not commenting on whether Fairview Downs etc are valid HHAs, but the inconsistency is of note and raises more concerns over the process.

### **Miscellaneous**

10. The addition of more **new** supposed heritage values in September 2023, such as “significant Ellis and Burnand joinery” raises further concerns about the credibility of the HHA process as a whole. The history of the HHAs should have been **documented and proven in full before public notification**. The history of Hamilton has not changed since July 2022.
11. The overall significance is based on the highest individual ranking value. This makes the issue of inflated rankings more serious if one value is incorrect or unproven (eg the supposed importance and presence of Ellis & Burnand joinery in Frankton East which results in a high ranking despite no evidence being provided).
12. In many cases the overall significance is based on one street in the HHA. For example the three duplexes in Wilson and Pinfold HHA are just three buildings but the HHA is ranked “high” for architectural values.
13. Plan Change 9 was primarily marketed by the Council as “The government is forcing us to allow 3-by-3-townhouses next door, but we will protect you.” While it was indicated there would be some restrictions, the marketing did not indicate that they would be as extreme as Mr Knott’s recommendations. This, along with the complicated process, has no doubt resulted in the low number of submissions opposing or supporting HHAs<sup>36</sup>. When the need to make changes arises (eg if someone in Cattnach street wants a higher balcony rail when they have grandchildren), they will discover that they (unlike their near neighbours in other Bryant-related streets) need to hire a heritage expert before they can do this.
14. The proposed HHAs contain approximately 3,000 houses. In a city of 45,741 standalone houses<sup>37</sup> this means 6.5% of houses supposedly represent our historic heritage. If this is an accurate reflection of our historic heritage, it seems unlikely that Hamilton’s historic heritage was not widely known until Mr Knott’s recent work.

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<sup>36</sup> Less than 7% of HHA property owners made submissions in the first round of submissions.

<sup>37</sup> 2018 census, <https://figure.nz/chart/cRpoaa2o16ZUqXbl>

Unlike Wellington or Christchurch, Hamilton has never been known for its historic heritage.

## **Appendix C: Review of S42A Report (20 October 2023)**

1. The S42A report issued on 20 October 2023 largely appears to be a propaganda statement from HCC as to how well the PC9 HHA process has gone. It does not mention that Mr Knott's September Report is the third revision of the HHAs. What the report is trying **not to say** is that HCC/Mr Knott have already had two failed attempts at getting the HHAs right and are now very bravely going in for a third attempt.
2. There is no mention whatsoever of the many submissions<sup>38</sup> stating that the HHAs contain erroneous statements and that Mr Knott has not performed research or provided evidence. Evidently the report-writer missed these, even though they were a large part of non-expert and expert oral submissions. As such this is a very incomplete and biased report prepared for HCC.
3. Paragraph 6 refers to the "adjournment" of the first hearings. HCC and their experts claimed on Day One (May 29) that they were 100% confident that everything was 100% correct. But by Day three and four they were looking for an opportunity for a redo. The panel gave them that opportunity and they came up with the third written version of the HHAs. The main concern discussed between the Panel and HCC seemed to be that if the Panel had to make decisions based on the second iteration, the entire process could fall over and valid heritage areas such as the Frankton Railway Village would be unprotected due to the HCC decision to remove special character altogether. This is not mentioned by the report-writer.
4. There is no reference to the fact that accurate reporting of historic heritage should not require three attempts to identify the supposed heritage worth preserving and record them in a way that can be included in the District Plan.
5. Paragraph 21 (Reassessment of HHAs) relies on the evidence of Mr Knott. This is an unfortunate thing to do.
6. Paragraph 24 states that the development dates and city extension sections are "largely factual in nature". Surely, the entirety of the Area Statements **should be 100% factual in nature!**
7. While paragraph 25 states that the HCC PGU have reviewed the statements and provided feedback in terms of the resource consent process which Mr Knott has incorporated into his statements, there is no record of a peer review of Mr Knott's latest iteration of Schedule 8D and the September Report. Given there are new

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<sup>38</sup> From both opponents of HHAs like myself and those such as Frankton East who want to be in an HHA.

assertions<sup>39</sup> and assessments in these, they should have been subject to a peer review.

8. Paragraphs 31-33 indicate that HCC have finally realised that the notified version meant a HIA and consent was needed to do something as simple as replace a storm damaged Clear-lite panel or a broken deck. We agree with this amendment. **We request that this change be included in the Panel's interim decision.**

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<sup>39</sup> For example, Frankton East and Oxford (East) HHAs now having "significant E & B joinery"

## Appendix D: Mr Arcus' Comments on Cattanach HHA

After a telephone conversation with Mr Doug Arcus (grandson of DV Bryant, former Chair of DV Bryant Trust, son of a former Chair and father of the current Chair) I sent him my draft report re the Cattanach HHA to ensure that I was not misrepresenting his views. Appendix A has been updated to include his suggested amendments.

Re: Cattanach HHA



Doug Arcus  
To [redacted]

 Follow up.



Cattanach HHA Vsn 2 DA.docx  
2 MB



Untitled attachment 00142.htm  
8 KB

Hi Jean,  
Try this.  
Happy for you to finalise this section with or without the extra edits.  
Doug

### Cattanach HHA

1. Cattanach St is ranked "Outstanding" for associative values because the background of the DV Bryant Trust is known.
2. The D V Bryant Trust (the Trust) is one of the longest serving family charitable trusts in the Waikato having been set up in 1924. It exists to "Enhance Human Welfare in the Waikato". The Founder, D V Bryant endowed the Trust mainly with farm land which included his own home farm which extended from Te Rapa Rd east to Waikato River with Bryant Road as its southern boundary (the Home Farm).
3. In the 1960's The Trust sequentially subdivided sections of a large amount of land the Home Farm to \_\_\_\_\_ make money for the Trust realise its assets and f-rom the proceeds, it made two significant endowments: - the establishment of both Bryant Hall at Waikato University and Bryant Village for the Elderly on Delamare Road (part of the Home Farm). (see Map with streets coloured blue attached).  
Cattanach St is but one of some 19 streets carrying Bryant related names in the ultimate subdivision of the Home Farm. In addition, Cattermach St is but very small street within that development.
4. 4. Duncan Cattermach (after whom the Street was named was for many years the Minister at St Andrews Presbyterian Church Hamilton, a parish where the Founder Dan Bryant worshiped as did a number of other Trustees of the Trust. Cattermach was therefore known to many on the Trust. Indeed, Cattermach was a Trustee of the Trust from 1060 to 1976. He was also a Trustee on the Mary Bryant Trust (a sister Trust) from 1948 to 1974. While Cattermach served both Trusts very well, so also did quite a number of other Trustees and in particular, family Members. There is no apparent reason why Cattermach should be prioritised ahead of a number of others
- 2.5 The Cattanach HHAs supposed heritage value are actually the values of the DV Bryant Trust, rather than the one small street of the houses within the DV Bryant Trust development.
- 3.6 No one from the Trust actually lived in the street. There is no documented significance of Cattanach Street over the other Trust streets.

Doug Arcus  
Style Definition: Legal Document

Mr Arcus made no edits to the remaining paragraphs.